Defense Delay Request Granted

Sirhan Trial

LOS ANGELES (AP)—A Dec. 9 trial date was set today for Sirhan Bishara Sirhan on a charge he murdered Sen. Robert F. Kennedy.

The defense won a delay from the scheduled Nov. 1 start on grounds a second defender in the case could not be ready by then. It also won access to a wide range of prosecution evidence and witness statements. The judge said the jury will be locked up nightly.

THE DEPUTY DISTRICT ATTORNEY who heads the prosecution team

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Set on Dec. 9

said the prosecution has no wish to withhold any evidence and has found no evidence of a conspiracy in the case.

He said: "Prosecution material falls into three classifications. 1. Witnesses we intend to use at the trial. 2. Witnesses with peripheral information we haven't contemplated using because its value is slight. 3. Investigations regarding other possible suspects and the existence of a conspiracy,

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all of which is negative.

"I want to make it clear that there is nothing in our possession we seek to withhold from the defense. I feel we have furnished the statements of people who could possibly be of value to the defense."

SUPERIOR JUDGE HERBERT V. Walker, who will try the case, said the jury will be locked up nightly to protect it from being influenced by any outside elements. If a jury has not been impaneled by Dec. 23, he said, the trial would be recessed until after the Christmas-New Year's holidays.

Sirhan, 24, is accused of shooting Kennedy just after the New Yorker claimed victory in last June's California presidential primary election.

It was Sirhan's seventh court appearance.

The prosecution opposed the postponement. Deputy Dist. Atty. Lynn D. Compton said the state was "anxious to get this trial started. We're ready to go Nov. 1 as scheduled."

IN ASKING THE DELAYED start, defense attorney Russell E. Parsons said his co-counsel is tied up on another case and cannot be ready by then. He did not identify the co-counsel.

"It would be a miracle if a jury was selected by Christmas," Parsons said.

Compton said any juror who would be willing to be locked up nights and weekends for two or three months—the estimated length of trial—probably would not be a family man and thus wouldn't care about the holidays.

The judge heard arguments on defense motions asking to be given certain evidence.

JUDGE WALKER GRANTED PARSONS' requests that 37 articles of evidence be turned over to him for examination. Included were written statements by 67 persons who said they saw Sirhan at or around the Ambassador Hotel the night and morning of June 4-5, when Kennedy was shot. They also included police interviews with persons who said they saw Sirhan practicing with a pistol at a firing range and purchasing ammunition in a gun shop.

Also included were interviews with psychiatrists, statements given by Sirhan to police after his arrest, reports on his medical history and photographs of Sirhan made at the hotel.

The defendant sat calmly through the proceedings and spoke only once during the morning session, saying "yes" when asked if he would agree to a postponement.